

REMARKS

Claims 1-17 remain pending in the present application. Claim 1 has been amended. Claim 17 is new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-16 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The added limitation to claim 1 of “for **always** positioning said vehicle chassis at a **single** specified distance from said unsprung portion...” was not found in the disclosure as originally filed. Applicant respectfully traverses this rejection.

Claim 1 has been amended to include the language of the specification used in paragraph 16. Applicant believes there is thus support in the original specification for the amended Claim 1. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-3 remain rejected under 35 U.S.C. § 103(a) as being unpatentable over De Molina ('239) in view of Buma, et al. ('554). Claims 4-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over De Molina in view of Buma as applied to

claim 3 above, and further in view of either Heinz, et al. or Patzenhauer, et al. '885. Applicant respectfully traverses this rejection.

Claim 1 of the present invention has been amended to define that the control system positions the vehicle body at a specified height from the unsprung portion when the position of the vehicle body is lower than a first specified amount and when said position of the vehicle body is higher than a second specified height. The control system changes the fluid pressure in the spring based on a difference of the position of the vehicle body and the specified height to position the vehicle body at the specified height. A valve assembly disposed between the shock absorber and the spring controls damping characteristics of the shock absorber at the specified height based only upon the pressure of the fluid in the spring.

As stated by the Examiner, De Molina '239 does not have a distance determining means between the unsprung portion and the vehicle body and thus De Molina does not control the height of the vehicle body. De Molina controls the damping of the vehicle using the fluid pressure in the springs and the driving conditions sensed by sensor control 54 to provide firm damping when the road is uneven or soft damping when the road is even (column 4, line 55 – column 5, line 22). The Examiner then combines Buma, et al. to provide a distance determining means. Buma, et al. teaches the use of a distance determining means to control the vehicle attitude but Buma, et al. does not control the damping characteristics based upon the fluid pressure in the springs.

Combining Buma, et al. with De Molina still will not disclose, teach or suggest a control system currently defined in amended Claim 1 of the present invention. The addition of a distance determining means to De Molina still will not make it obvious to

position the vehicle body at a specified height from the unsprung portion and then control the damping characteristics of the shock absorber at the specific height based upon the fluid pressure in the spring. Buma, et al. controls the attitude of the vehicle, it does not position the vehicle at a specified height. Thus, adding the distance determining means to De Molina will still not provide the teaching in De Molina to set a specified height of the vehicle.

Thus, Applicant believes Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 2-16, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

NEW CLAIM

New Claim 17 is a dependent claim which Applicant believes properly further limits Claim 1.


CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner

believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: 
Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MSJ/pmg